



1997 Smog Check Legislation

MARCH 1998

On October 9, 1997, Governor Wilson signed into law Assembly Bill (AB) 57, AB 208, and AB 1492, a three bill package to improve the state's enhanced Smog Check program. In addition, the Governor signed Senate Bill (SB) 42. These new laws go into effect on **January 1, 1998** providing greater convenience for many consumers. The Smog Check program will change significantly in the following ways:

AB 57, AB 208, and AB 1492

Vehicle Exemptions

The new laws exempt vehicles up to four model-years old from the biennial Smog Check. This exemption is expected to save consumers at least \$90 million annually. Because more than 99% of these newer vehicles pass their Smog Checks, this exemption is not expected to adversely affect California's overall clean air goals.

The legislation also allows the exemption of any low-emitting motor vehicle or class of motor vehicles from the biennial Smog Check program.

Certain vehicles exempted by these laws could be subject to testing and certification requirements under specified conditions.

Low-Income Motorist Assistance

The legislation establishes a one-time Economic Hardship Extension for low-income motorists whose vehicles fail a Smog Check and have repair bills totaling at least \$250.

With an eye on the most cost-effective repairs and maximum air quality benefits, a new repair assistance program also will be offered to low-income motorists. Low-income vehicle owners who receive assistance will have to make a \$250 co-payment toward repairs to be performed at a Gold Shield Guaranteed Repair station. Funding for the program will come from the Smog Impact Fee currently assessed on out-of-state vehicles.

Low-income motor vehicle owners are defined as those with incomes at or below 175% of the federal poverty level (about \$27,000 annually for a family of four).

Gross-Polluting Vehicles

Gross Polluters will not be required to undergo annual Smog Check inspections at a Test-Only Center. Once a Gross Polluter is repaired and has those repairs verified at a Test-Only Center, it will simply return to its normal biennial Smog Check cycle.

Additionally, Gross Polluters will be eligible for Repair Cost Waivers and Economic Hardship Extensions, which currently are issued only after emissions on those vehicles are reduced below gross-polluting levels.

Civil Penalties to Fight Fraud

A civil penalty of at least \$150, but no more than \$1,000, will be assessed to anyone who attempts to fraudulently obtain a Repair Cost Waiver or Economic Hardship Extension.

Program Review

These laws also require the Bureau of Automotive Repair, Air Resources Board, and I/M Review Committee to continuously review the effectiveness of the Smog Check program.

SB 42

SB 42 exempts 1973 and older vehicles from the Smog Check program. In 2003, all vehicles 30 years and older will be exempt.

New Legislation

<i>BILL</i>	<i>AUTHOR</i>
AB 57	Escutia
AB 208	Migden
AB 1492	Baugh
SB 42	Kopp